

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

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**EIGHTY-SEVENTH LEGISLATIVE DAY  
WEDNESDAY, APRIL 2, 2008**

Senate Chamber

President Risch called the Senate to order at 10 a.m.

Roll call showed all members present except Senators McKenzie and Stennett, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Wade Smith, Page.

The Senate advanced to the Third Order of Business.

## Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 1, 2008, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

## Reports of Standing Committees

April 1, 2008

The JUDICIARY AND RULES Committee reports that **S 1361**, as amended, as amended in the House, **S 1519**, and **SCR 135** have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled **S 1361**, as amended, as amended in the House, **S 1519**, and **SCR 135**, and ordered them transmitted to the House for the signature of the Speaker.

April 2, 2008

The RESOURCES AND ENVIRONMENT Committee reports out **S 1280**, as amended in the House, with the

recommendation that the Senate not concur in the House amendments.

SCHROEDER, Chairman

**S 1280**, as amended in the House, and the committee report, were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

## Messages from the House

Senator Stennett was recorded present at this order of business.

April 1, 2008

Mr. President:

I return herewith **SJR 107**, which has failed to pass the House.

ALEXANDER, Chief Clerk

**SJR 107** was ordered filed in the office of the Secretary of the Senate.

April 1, 2008

Mr. President:

I transmit herewith Enrolled **H 380**, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 606**, as amended in the Senate, **H 607**, as amended in the Senate, and **H 664**, as amended, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 380**, as amended, as amended, as amended in the Senate, **H 447**, as amended, as amended in the Senate, **H 606**, as amended in the Senate, **H 607**, as amended in the Senate, and **H 664**, as amended, and ordered them returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

## Second Reading of Bills

**H 691**, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

## Third Reading of Bills

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, **S 1506**, having been held, was recommitted to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, **HJR 4**, having been held, was recommitted to the State Affairs Committee.

**H 682**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **H 682** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, **S 1507** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out **S 1507**, as amended, without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1507 AMENDMENTS TO THE BILL

On page 2 of the printed bill, following line 39 insert:

"SECTION 4. That Chapter 9, Title 34, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 34-904B, Idaho Code, and to read as follows:

34-904B. PARTY CONDUCTED NOMINATION PROCESS. (1) In lieu of participating in a primary election conducted and paid for by public funds, a political party may choose to nominate its candidates for county, district, state and federal offices and elect precinct committeemen through a party conducted nomination process.

(2) A party conducted nomination process may be conducted pursuant to rules adopted by the political party, provided that the political party is responsible for all expenses and the administration associated with conducting the party conducted nomination process.";

and in line 40, delete "SECTION 4" and insert: "SECTION 5"; on page 3, in line 31, delete "SECTION 5" and insert: "SECTION 6"; and on page 4, following line 7, insert:

"SECTION 7. That Section 34-1208, Idaho Code, be, and the same is hereby amended to read as follows:

34-1208. CERTIFICATES OF NOMINATION OR ELECTION. (1) Immediately after the primary election canvass the county clerk shall issue certificates of nomination to the political party candidates of each party who receive the highest number of votes for their particular county office, and the candidates so certified shall have their names placed on the general election ballot. On or before the eighth day after the primary election canvass, the county clerk shall issue certificates of election to the precinct committeemen of each political party who receive the highest number of votes in their precinct. Provided that to be elected, a precinct committeeman shall receive a minimum of five (5) votes. In the event no candidate receives the minimum number of votes required to be elected, a vacancy in the office shall exist and shall be filled as otherwise provided by law. The county clerk shall also certify by registered mail the results of both the primary and the presidential primary elections to the secretary of state. The form for such certificate shall be prescribed by the secretary of state and be uniform throughout the state.

(2) In the event that a political party elects to nominate its candidates for elected office at a party conducted nomination process, the county central committee of the political party that has nominated candidates for county elected offices shall, immediately after the party conducted nomination process, certify by registered mail to the county clerk and to the secretary of state the names of the candidates for office who have been nominated and precinct committeemen who have been elected and the concluding date of the party conducted nomination process. On or before the eighth day after receiving the certificate from the central committee, the county clerk shall issue certificates of nomination to the political party's qualified candidates for county office and certificates of election to the precinct committeemen. The qualified candidates issued certificates of nomination shall have their names placed on the general election ballot.

SECTION 8. That Section 34-1214, Idaho Code, be, and the same is hereby amended to read as follows:

34-1214. CERTIFICATES OF NOMINATION OR ELECTION TO FEDERAL, STATE, DISTRICT OR NONPARTISAN OFFICES AFTER PRIMARY OR PARTY CONDUCTED NOMINATION PROCESS. (1) Immediately after the primary election canvass, the secretary of state shall issue certificates of nomination to the political party candidates of each

party who receive the highest number of votes for their particular federal, state or district office. In the event a political party elects to nominate candidates at a party conducted nomination process, the political party's state central committee shall immediately certify by registered mail to the secretary of state the names of the candidates nominated for federal, state or district office and the concluding date of the party conducted nomination process. After receiving the certification of the political party's candidates for federal, state or district elected office, the secretary of state shall issue certificates of nomination to the qualified candidates. The qualified candidates so certified shall have their names placed on the general election ballot.

(2) Immediately after the primary election canvass, the secretary of state shall issue certificates of nomination to the nonpartisan candidate or candidates who receive the highest number of votes for the number of vacancies which are to be filled for a particular office and also to the same number of candidates who receive the second highest number of votes for the particular office. The candidates so certified shall have their names placed on the general election ballot. If it appears from the canvass that a particular candidate has received a majority of the total vote cast for the particular office, he shall be issued a certificate of election instead of a certificate of nomination and no candidates shall run for the particular office in the general election."

#### CORRECTIONS TO TITLE

On page 1, in line 8, following "DUTY;" insert: "AMENDING CHAPTER 9, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-904B, IDAHO CODE, TO PROVIDE FOR A PARTY CONDUCTED NOMINATION PROCESS;"; in line 10, delete "AND"; and in line 12, following "BALLOT" insert: "; AMENDING SECTION 34-1208, IDAHO CODE, TO REVISE THE CERTIFICATION OF CANDIDATES; AND AMENDING SECTION 34-1214, IDAHO CODE, TO PROVIDE FOR CERTIFICATES OF NOMINATION TO CERTAIN OFFICES AFTER THE PARTY CONDUCTED NOMINATION PROCESS".

The Committee also has **S 1329**, **S 1404**, as amended, and **H 655**, as amended, under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Langhorst, the report was adopted by voice vote.

**S 1507**, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

#### Reports of Standing Committees

April 2, 2008

The JUDICIARY AND RULES Committee reports that **S 1507**, as amended, has been correctly engrossed.

DARRINGTON, Chairman

**S 1507**, as amended, was filed for first reading.

April 2, 2008

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1507**, as amended, have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**S 1507**, as amended, by State Affairs Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

#### Second Reading of Bills

President Risch called President Pro Tempore Geddes to the Chair.

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1507**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**S 1507**, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Cameron, Coiner, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Richardson, Stegner. Total - 20.

NAYS--Bilyeu, Broadsword, Burkett, Corder, Gannon (Gannon), Goedde, Kelly, Langhorst, McKague, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Stennett, Werk. Total - 15.

Paired and voting included in roll call:

AYE - McKenzie      NAY - Corder

Total - 35.

Whereupon the President Pro Tempore declared **S 1507**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 691** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 691** was read the third time at length and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--McKenzie. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 691** passed, title was approved, and the bill ordered returned to the House.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:40 p.m. until the hour of 2 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 2 p.m., pursuant to recess, President Risch presiding.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prior to recess, the Senate was at the Thirteenth Order of Business, Third Reading of Bills.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Seventh Order of Business.

### Reports of Special Committees

April 2, 2008

The Honorable Robert Geddes  
President Pro Tempore of the Senate

Dear President Pro Tempore Geddes:

The Senate Conference Committee appointed to confer on **H 599**, as amended, as amended in the Senate, has conferred, and the Committees do jointly agree and recommend:

1. That **H 599**, as amended, as amended in the Senate, be returned to the Senate; and
2. That **H 599**, as amended, as amended in the Senate, be further amended in the Senate as follows:
  - a. Change the maximum amount of exempt personal property from \$75,000 to \$100,000.
  - b. Provide a trigger mechanism to initially implement the bill that general fund revenues must grow at least five percent from the preceding fiscal year. If general fund revenues have not increased the minimum amount, then the first fiscal year that general fund revenues increase at least five percent from the preceding fiscal year would be the year that the act is triggered.
  - c. The \$100,000 exemption would be granted by taxpayer by county.

SENATORS:

REPRESENTATIVES:

/s/ Brent Hill

/s/ Dennis Lake

/s/ Joe Stegner

/s/ Jim Clark

/s/ David Langhorst

/s/ Bill Killen

On request by Senator Davis, granted by unanimous consent, the Conference Committee Report and **H 599**, as amended, as amended in the Senate, were referred to the Tenth Order of Business, Motions and Resolutions, and held for one legislative day, pursuant to Senate Rule 21(A).

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate consideration of the Conference Committee Report pertaining to **H 599**, as amended, as amended in the Senate, were suspended, and the report was placed before the Senate for consideration at this time.

On request by Senator Hill, granted by unanimous consent, the Conference Committee Report was adopted.

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, **H 599**, as amended, as amended in the Senate, was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

### General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

### Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out **H 599**, as amended, as amended in the Senate, without recommendation, amended as follows:

#### SENATE AMENDMENT TO THE SENATE AMENDMENT TO **H 599, As Amended, As Amended in the Senate** AMENDMENT TO THE AMENDMENT TO SECTION 3

On page 1 of the printed amendment, delete lines 13 through 16, and insert: "(1) On and after January 1, 2009, subject to subsection (2) of this section, each taxpayer's personal property, located in the county, which is not otherwise exempt and which is not operating property, shall be exempt to the extent of one hundred thousand dollars (\$100,000). For the purposes of this section, a taxpayer includes two (2) or"; delete lines 20 through 27, and insert: "as defined in section 63-3004, Idaho Code."; following line 27, insert:

"(2) This section shall not take effect on January 1, 2009, if on September 1, 2008, the state controller certifies that the receipts to the general fund for the fiscal year ending June 30, 2008, have not exceeded receipts to the general fund from the previous fiscal year by five percent (5%) or more. This section shall take effect on the first year when the state controller certifies to the state tax commission that receipts to the general fund for the fiscal year just ended have exceeded the receipts to the general fund during the previous fiscal year by five percent (5%) or more."; in line 28, delete "(2)" and insert: "(3)"; in line 39, delete "(3)" and insert: "(4)".

On page 2, in line 2, delete "(2)" and insert: "(3)"; in line 4, delete "(2)" and insert: "(3)"; in line 20, delete "(2)" and insert: "(3)"; and in line 26, delete "(4)" and insert: "(5)".

#### AMENDMENT TO THE AMENDMENT TO SECTION 4

On page 2, in line 33, delete "(3)" and insert: "(4)".

#### AMENDMENT TO THE AMENDMENT TO THE BILL

On page 3, delete lines 33 and 34, and insert:

"(5) For transient personal property valued at over one hundred thousand dollars (\$100,000), any exemption in section 63-602KK, Idaho Code, available to".

### CORRECTION TO THE CORRECTIONS TO TITLE

On page 5, in line 29, following "PROPERTY," insert: "TO PROVIDE A TRIGGER WHEN THE SECTION IS FIRST EFFECTIVE,"; and in line 33, delete "SEVENTY-FIVE" and insert: "ONE HUNDRED"

The Committee also has **S 1329, S 1404**, as amended, and **H 655**, as amended, under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Langhorst, the report was adopted by voice vote.

**H 599**, as amended, as amended in the Senate, as amended in the Senate, was filed for first reading as amended and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

April 2, 2008

The JUDICIARY AND RULES Committee reports that Senate amendments to **H 599**, as amended, as amended in the Senate, as amended in the Senate, have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 1, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **S 1413**, as amended, as amended in the House, **S 1425**, as amended in the House, **S 1485**, and **S 1514** were delivered to the Office of the Governor at 3:20 p.m., April 1, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 1, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **SJM 114** was delivered to the Office of the Secretary of State at 3:21 p.m., April 1, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 2, 2008

The JUDICIARY AND RULES Committee reports that Enrolled **S 1515**, **S 1516**, and **S 1517** were delivered to the Office of the Governor at 10:20 a.m., April 2, 2008.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**H 599**, as amended, as amended in the Senate, as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 599**, as amended, as amended in the Senate, as amended in the Senate, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**H 599**, as amended, as amended in the Senate, as amended in the Senate, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 34.

NAYS--None.

Absent and excused--McKenzie. Total - 1.

Total - 35.

Whereupon the President declared **H 599**, as amended, as amended in the Senate, as amended in the Senate, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Eighth Order of Business.

**Messages from the Governor**

April 1, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I hereby advise you that I have transmitted to the Office of the Secretary of the State, with my approval, the following Senate Bill, to wit:

**S 1511**

within the time prescribed by law, the same having arrived in the Office of the Governor at the hour of 1:50 p.m. on March 27, 2008.

For too long, Idaho leaders looked in the ditch, saw water and kept on appropriating it. It was part of our culture. It made Idaho bloom, and it served us well for generations. Today, however, demand for water exceeds our supply. We must get out of the business of dividing up scarcity. We must more responsibly manage and administer this precious resource for all Idahoans.

As our Comprehensive Aquifer Management Planning (CAMP) process moves forward to tackle our long-term challenges, we cannot afford to neglect short-term concerns. We must keep striving to develop smaller, targeted interim projects that reduce demand and increase water supplies.

I believe this investment in the Pristine Spring project and additional storage study is prudent, especially since the Pristine Spring project also will generate revenue for the Idaho Water Resource Board's revolving fund, which can be used for future water projects.

To be clear, my support of this bill is based on two factors: 1) my personal involvement with the Water Resource Board in managing and directing this project and property; and 2) a mutual understanding with the Legislature that future returns and repayment from this project will be used to address additional concerns on the Eastern Snake Plain Aquifer (ESPA), including Niagara Springs and Crystal Springs.

I still believe that voluntary fallowing is a tremendous opportunity that must be explored. We have learned valuable lessons from the Conservation Reserve Enhancement Program (CREP) and should apply those lessons to help reduce demand and increase the supply of water across southern and eastern Idaho.

I remain hopeful that the projects included in this legislation, as well as future water projects, will help resolve some of the supply issues across the ESPA. The hard fact is that curtailment is inevitable unless we continue developing solutions to address the harm to senior water users and the aquifer. I am optimistic that this legislation sets the stage for far more involvement in this process by a broader spectrum of water users.

As Always - Idaho, *Esto Perpetua*  
/s/ C. L. 'Butch' Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

April 2, 2008

### Messages from the House

April 2, 2008

Mr. President:

I transmit herewith **HJR 5**, which has passed the House.

ALEXANDER, Chief Clerk

**HJR 5** was filed for first reading.

April 2, 2008

Mr. President:

I return herewith **SCR 140** and **S 1518**, which have passed the House.

ALEXANDER, Chief Clerk

**SCR 140** and **S 1518** were referred to the Judiciary and Rules Committee for enrolling.

April 2, 2008

Mr. President:

I transmit herewith Enrolled **H 656**, as amended, **H 680**, **H 695**, **H 696**, **H 477**, **H 481**, as amended, and **H 630** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 656**, as amended, **H 680**, **H 695**, **H 696**, **H 477**, **H 481**, as amended, and **H 630** and ordered them returned to the House.

April 2, 2008

Mr. President:

I transmit herewith Enrolled **H 682** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 682** and ordered it returned to the House.

April 2, 2008

Mr. President:

I transmit herewith Enrolled **H 691** for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled **H 691** and ordered it returned to the House.

Mr. President:

I return herewith Enrolled **S 1361**, as amended, as amended in the House, **S 1519**, and **SCR 135**, which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled **S 1361**, as amended, as amended in the House, and **S 1519** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

Enrolled **SCR 135** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of the State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**HJR 5**, by Ways and Means Committee, was introduced, read the first time at length and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

April 2, 2008

The STATE AFFAIRS Committee reports out **HJR 5** with the recommendation that it do pass.

JORGENSEN, Vice Chairman

**HJR 5** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **HJR 5** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

**HJR 5** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Broadsword, Cameron, Darrington, Davis, Fulcher, Gannon (Gannon), Geddes, Hammond, Jorgenson, Kelly, Keough, Langhorst, Little, McGee, McKague, Pearce, Richardson, Sagness (Malepeai), Stennett, Werk. Total - 23.

NAYS--Andreason, Burkett, Coiner, Corder, Goedde, Heinrich, Hill, Lodge, Schroeder, Siddoway, Stegner. Total - 11.

Absent and excused--McKenzie. Total - 1.

Total - 35.

Less than two-thirds having voted in the affirmative, the President declared that **HJR 5** had failed to pass the Senate and ordered the resolution returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Coiner, Chairman, and Senator Gannon and Acting Senator Sagness to escort the committee from the House of Representatives, consisting of Representatives Mortimer, Snodgrass, and LeFavour, into the Senate Chamber. The House committee informed the President and the members of the Senate that the House had completed its business and was ready to adjourn *Sine Die*.

The President thanked and discharged the committee.

On request by Senator Davis, granted by unanimous consent, the Sergeant at Arms was ordered to retrieve the Idaho State flag that had been raised over the Senate Chamber during the Second Regular Session of the Fifty-ninth Legislature of the State of Idaho. President Pro Tempore Geddes presented the flag to Senator Mel Richardson, to honor his years of service to the Idaho Legislature.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Richardson, Chairman, and Senators Goedde and Burkett to notify the Governor that the Senate had completed its business and was ready to adjourn *Sine Die*.

The President excused the committee.

On request by Senator Davis, granted by unanimous consent, the President appointed a committee consisting of Senator Siddoway, Chairman, and Senators Bair and Langhorst to notify the House of Representatives that the Senate had completed its business and was ready to adjourn *Sine Die*.

The President excused the committee.

The committee appointed to wait upon the Governor returned and reported that it had delivered the Senate's message. The committee conveyed the Governor's message to the President and the members of the Senate.

The President thanked and discharged the committee.

The committee appointed to wait upon the House of Representatives returned and reported that it had delivered the Senate's message. The committee conveyed the Speaker's message to the President and the members of the Senate.

The President thanked and discharged the committee.

On motion by Senator Davis, seconded by Senator Burkett, by voice vote the Senate of the Second Regular Session of the Fifty-ninth Legislature of the State of Idaho adjourned *Sine Die* at 6:13 p.m., April 2, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary

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[Note: The following is action recorded after Senate *Sine Die*:]

April 1, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

**S 1470**

As Always - Idaho, 'Esto Perpetua'  
/s/ C. L. 'Butch' Otter  
Governor of Idaho

April 3, 2008

Enrolled **S 1361**, as amended, as amended in the House, and **S 1519** were delivered to the Office of the Governor at 2:30 p.m., April 3, 2008.

April 3, 2008

**S 1518** was reported enrolled, signed by the President, transmitted to the House for the signature of the Speaker, received from the House signed by the Speaker, and delivered to the Office of the Governor at 2:30 p.m., April 3, 2008.



Enrolled **SCR 135** was delivered to the Office of the Secretary of State at 3:30 p.m., April 3, 2008.

**SCR 140** was reported enrolled, signed by the President, transmitted to the House for the signature of the Speaker, received from the House signed by the Speaker, and delivered to the Office of the Secretary of State at 3:30 p.m., April 3, 2008.

April 3, 2008

Enrolled **H 599**, as amended, as amended in the Senate, as amended in the Senate, was received from the House signed by the Speaker, signed by the President, and returned to the House.

April 9, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1361**, as amended, as amended in the House, **S 1515**,  
**S 1516**, **S 1517**, **S 1518**, and **S 1519**

As Always - Idaho, '*Esto Perpetua*'  
/s/ C. L. 'Butch' Otter  
Governor of Idaho

April 11, 2008

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1413**, as amended, as amended in the House,  
**S 1425**, as amended in the House, **S 1485**, and **S 1514**

As Always - Idaho, '*Esto Perpetua*'  
/s/ C. L. 'Butch' Otter  
Governor of Idaho

## CERTIFICATE

State of Idaho )  
 )  
Senate Chamber, Boise, Idaho )

We, JAMES E. RISCH, President of the Senate, and JEANNINE WOOD, Secretary of the Senate, do hereby certify and attest as follows:

That the daily Senate Journal of the proceedings of April 2, 2008, the Eighty-seventh Legislative Day, has been read and approved;

And, said Journal contains a true, complete, and accurate record of all Senate proceedings of said day, including final actions by the House of Representatives and the Governor of the State of Idaho, as statutorily mandated.

IN WITNESS WHEREOF, we have hereunto set our hand this 16th day of April, 2008.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary

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